

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

HARLEY DANIEL DEGROAT, and
REBECCA MARIE HERNANDEZ,

Defendants.

4:21CR3009

ORDER

The parties have moved to continue the status conference (Filing No. 102), because Defendant DeGroat and the government remain engaged in plea discussions and the government needs to investigate the status of Arizona charges against DeGroat. The motion to continue is unopposed. Based on the parties' representations, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) The parties' motion to continue, (Filing No. 102), is granted.
- 2) As to all defendants, the conference call previously scheduled to be held on May 3, 2023, is continued. A telephonic conference with counsel will be held before the undersigned magistrate judge at 11:15 a.m. on June 6, 2023 to discuss setting any change of plea hearing, or the date of the jury trial and deadlines for disclosing experts as required under Rule 16. Counsel for all parties shall use the conferencing instructions provided by the court to participate in the call.
- 3) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendants in a speedy trial, and as to all defendants, the additional time arising as a result of the granting of the motion, the time between today's date and

June 6, 2023 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1), (h)(6) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 3rd day of May, 2023.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge